

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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FELIPE GALINDO and GONZALO
CORNELIO BASURTO, individually and on
behalf of others similarly situated,

Plaintiffs,

21 CIVIL 0045 (JGLC) (SLC)

-against-

JUDGMENT

YUMMY FOODS DELI CORP. d/b/a
YUMMY FOOD DELI, FOUAD HAMOUD
HADWAN, and TAWFIQ HADWAN,

Defendants.

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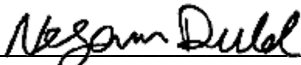
It is hereby **ORDERED, ADJUDGED, AND DECREED**, That for the reasons stated in the Court's Order dated February 09, 2024, the Report and Recommendation is ADOPTED in its entirety. 1. The motion for default judgment is GRANTED. 2. Plaintiff Galindo is awarded: a. Compensatory damages in the amount of \$12,652.52, consisting of \$10,263.17 in overtime wages and \$2,389.35 in spread-of-hours wages, b. Liquidated damages in the amount of \$12,652.52, c. Prejudgment interest on Galindo's damages for overtime and spread-of-hours wages (i.e., \$12,652.52) at a rate of nine percent per year from the period of June 14, 2020 through the date of entry of judgment (the date of this order), and d. Post-judgment interest pursuant to 28 U.S.C. § 1961; 3. Plaintiff Cornelio is awarded: a. Compensatory damages in the amount of \$37,191.50, consisting of \$6,685.74 in Straight Time Wages, \$24,379.74 in overtime wages, and \$6,126.02 in spread-of-hours wages, b. Liquidated damages in the amount of \$37,191.50, c. Prejudgment interest on Cornelio's damages for unpaid minimum, overtime, and spread-of-hours wages (i.e., \$37,191.50) at a rate of nine percent per year from the period of April 28, 2020 through the date of entry of judgment (the date of this order), and d. Post-judgment interest pursuant to 28 U.S.C.

§ 1961; 4. Plaintiffs are awarded attorneys' fees in the amount of \$14,285.00; 5. Plaintiffs are awarded costs in the amount of \$402.00; 6. Pursuant to NYLL § 198(4), an automatic increase of judgment shall be applied to damages awarded under the NYLL that remain unpaid upon the expiration of 90 days following issuance of judgment, or 90 days after expiration of the time to appeal, and no appeal is then pending, whichever is later; and 7. Plaintiffs claims for statutory damages under the WTPA (New York Wage Theft Prevention Act, NYLL §§ 195, et seq.) be DISMISSED WITH PREJUDICE for lack of standing, and the case is closed.

DATED: New York, New York
February 9, 2024

RUBY J. KRAJICK

Clerk of Court

BY: 
Deputy Clerk